

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

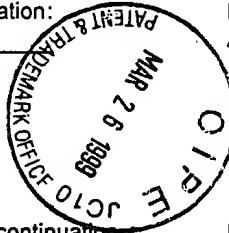
REQUEST FORM FOR FILING CONTINUING APPLICATION
UNDER 37 C.F.R. § 1.53(b)

Attorney Docket Number 55422.000005
Anticipated Classification Of This Application:
Class _____ Subclass _____

Prior Application: 09/166,779 (99997.0/9117)
Examiner: NOT ASSIGNED
Art Unit: NOT ASSIGNED

Assistant Commissioner for Patents
Washington, D.C. 20231

FEE VALUE	
ACCOUNTABILITY	
DEPOSIT ACCOUNT NO.	
50	0206
FEE CODE	VALUE FURNISHED



Sir:

This is a request for filing a ☐ continuation ☒ divisional application under 37 C.F.R. § 1.53(b) which claims priority of prior applications, Application Serial No. 09/166,779, filed on October 6, 1998, entitled CONSIGNMENT NODES by the following named inventor Thomas G. Woolston, which is a continuation of Application Serial No. 08/554,704 filed on November 7, 1995, which is a continuation of Application Serial No. 08/427,820, filed on April 26, 1995, both entitled CONSIGNMENT NODES.

1. ☒ Enclosed is a true copy of the prior complete application as originally filed, including the oath or declaration. No amendments referred to in the oath or declaration filed to complete the prior application introduced new matter therein.
2. ☒ Preliminary Amendment is enclosed.
3. ☒ Cancel in this application original claims 1-10 of the prior application before calculating the filing fee.
4. ☒ The filing fee is calculated as follows:

FOR	NUMBER FILED	NUMBER EXTRA	RATE	CALCULATIONS
TOTAL CLAIMS	22	2	x \$ 9.00 =	\$18.00
INDEPENDENT CLAIMS	3	0	x \$ 39.00 =	\$0.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			x \$ 130.00	\$ 0.00
BASIC FEE				+ \$ 760.00
TOTAL OF ABOVE CALCULATIONS=				+ \$ 778.00
REDUCTION BY 1/4 FOR FILING BY SMALL ENTITY (Note 37 C.F.R. 1.9, 1.27, 1.28). IF APPLICABLE, VERIFIED STATEMENT MUST BE ATTACHED.				- \$ 380.00
TOTAL =				\$ 398.00

5. ☒ The Commissioner is hereby authorized to charge fees under 37 C.F.R. § 1.16 and § 1.17 which may be required, or credit any overpayment to Deposit Account No. 50-0206.
6. ☒ A check in the amount of \$380.00 is enclosed. In the event any variance exists between the amount enclosed and the Patent Office charges, please credit or charge any different to Deposit Account No. 50-0206.
7. ☒ Amend the specification by replacing the first sentence with: This application is a continuation of U.S. Patent Application Serial No. 08/554,704 filed November 7, 1995, now U.S. Patent No. 5,845,265 which is a continuation-in-part of U.S. Patent Application Serial No. 08/427,820 filed April 26, 1995, both entitled Consignment Nodes and incorporated herein by reference in their entirety.
8. ☒ A verified statement to establish small entity status under 37 C.F.R. §§ 1.9 and 1.27 ☐ is enclosed.

- ☒ was filed in prior application Serial No. 09/166,779 and such status is still proper and desired (37 C.F.R. § 1.28(a)).
9. ☐ Priority of foreign Application Nos. _____, filed on _____, is claimed under 35 U.S.C. § 119.
- ☐ A certified copy of each was filed in prior Application Serial No. _____, filed _____.
10. ☐ New formal drawings are enclosed.
11. ☒ The prior application is assigned of record to MercExchange, L.L.C.
12. ☒ The power of attorney in the prior application is to Thomas G. Woolston, Esq.
- a. ☒ The power of attorney appears in the original papers in the prior application.
- b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. ☒ Recognize as Associate Attorneys:
- Thomas J. Scott, Jr., Registration No. 27,836; Stanislaus Aksman, Registration No. 28,562; Kevin J. Dunleavy, Registration No. 32,024; Scott D. Balderston, Registration No. 35,436; Tyler S. Brown, Registration No. 36,465; Christopher C. Campbell, Registration No. 37,291; Henry C. Su, Registration No. 37,738; Brian M. Buroker, Registration No. 39,125; Thomas G. Woolston, Registration No. 40,235; Charles F. Hollis, Registration No. 40,650; Kevin T. Duncan, Registration No. 41,495; Jonathan D. Link, Registration No. 41,548; Christopher J. Cuneo, Registration No. 42,450; Stephen T. Schreiner, Registration No. 43,097; Raphael A. Valencia, Registration No. 43,216; and George B. Georgellis, Registration No. P43,632.
- d. ☐ Please remove as power of attorney:
13. ☐ Also enclosed: An INFORMATION DISCLOSURE STATEMENT. Attached are Forms PTO-1449 listing all of the documents cited by Applicants and the PTO in the parent application(s) relied upon 35 U.S.C. 120. Per Rule 98(d) copies of those documents are not required now. Please consider these documents and advise that they have been considered in this new application by returning a copy of the enclosed Forms PTO-1449 with the Examiner's initials in the left column per M.P.E.P. 609.
14. ☒ Address all future communications to:
- Thomas G. Woolston, Esq.
Hunton & Williams
1900 K Street, N.W., Suite 1200
Washington, D.C. 20006-1109

The undersigned further declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that willful false statements may jeopardize the validity of the applications or any patent issuing thereon.

Dated: February 19, 1999

By: _____

Thomas G. Woolston
Registration No. 40,235

LAW OFFICES
HUNTON & WILLIAMS
1900 K STREET, N.W.
WASHINGTON, D.C. 20006-1109
(202) 955-1500

Attorney Docket No.: _____
Applicant(s) or
Patentee: Thomas G. Woolston
For: CONSIGNMENT NODES

Patent No. _____

Filed: _____

Due: _____

10/6/98

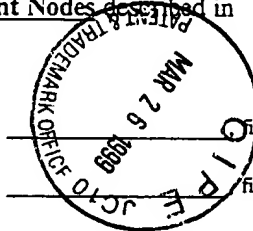
VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) AND 1.27(b)) - INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled Consignment Nodes described in

(check one) ☒ the specification filed herewith

☐ International application serial no. _____

☐ application serial no. _____



I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.0(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

(check one) ☐ no such person, concern, or organization

☒ persons, concerns or organizations listed below*

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME MercExchange, LLC

ADDRESS 8408 Washington Ave, Alexandria, Va 22309

[] INDIVIDUAL [X] SMALL BUSINESS CONCERN [] NONPROFIT ORGANIZATION

NAME _____

ADDRESS _____

[] INDIVIDUAL [] SMALL BUSINESS CONCERN [] NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee of any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is direct.

Thomas G. Woolston
NAME OF INVENTOR

[Signature]
SIGNATURE OF INVENTOR

10/6/98
DATE

Hunton & Williams
1900 K Street, NW
Suite 1200
Washington, DC 20006
Tel: (202) 955-1500